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**Response under 37 C.F.R. 1.116  
- Expedited Examining Procedure -  
Examining Group 1734**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

**Thomas Laney, et al.**

**THERMAL-DYE-TRANSFER LABEL  
CAPABLE OF REPRODUCING  
FLESH TONES**

Serial No.: 10,602,839

Filed: June 24, 2003

Commissioner for Patents  
Alexandria, VA 22313-1450

Sir:

Group Art Unit: 1734

Examiner: George R. Koch

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**REQUEST FOR RECONSIDERATION**  
**PURSUANT TO 37 C.F.R. § 1.116**

In response to the Office Action mailed August 25, 2005, Applicants provide the following remarks. Consideration of the remarks after final is proper under 37 C.F.R. § 1.116 because 1) the claims are not amended; 2) no further search or consideration of the claims is required; 3) the remarks clarify issues previously presented; and 4) the remarks place the application in condition for allowance. Entry and consideration of the remarks are thus respectfully solicited.

Claims 1-14, 19-26, 33-36, and 38-44 are rejected under 35 U.S.C. 103(a) over Weber (US 5,288,548) and Freedman (US Patent 5,372,669). Claims 11, 12, 15-18, 27-37, 42, and 44 are rejected under 35 U.S.C. 103(a) over Weber and Freedman as applied to claim 1 and 11 above, and further view of Shirai (US Patent 6,153,558), Harrison (US 5,399,218), Oshima (US 6,162,517), or a combination thereof. Applicants traverse each of the rejections for at least the following reasons.

**Arguments with respect to Weber**

Applicants respectfully assert that the Patent Office has incorrectly understood the cited primary reference of Weber. The Patent Office points to selected sections of